

Union Calendar No. 97

105TH CONGRESS
1ST Session

H. R. 1775

[Report No. 105-135, Part I]

A BILL

To authorize appropriations for fiscal year 1998 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

JULY 1, 1997

The Committee on National Security discharged. Referred to the Committee of the Whole House on the State of the Union.

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IN THE HOUSE OF REPRESENTATIVES

JUNE 4, 1997

Mr. GOSS introduced the following bill; which was referred to the Permanent Select Committee on Intelligence

JUNE 18, 1997

Reported with an amendment, and referred to the Committee on National Security for a period ending not later than July 1, 1997 for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(k), rule X.

[Strike out all after the enacting clause and insert the part printed in italic]

JULY 1, 1997

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[For text of introduced bill, see copy of bill as introduced on June 4, 1997]

A BILL

To authorize appropriations for fiscal year 1998 for intelligence and intelligence-related activities of the United States Government, the Community Management Ac-

count, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Intelligence Authoriza-*
 5 *tion Act for Fiscal Year 1998”.*

6 **TITLE I—INTELLIGENCE**
 7 **ACTIVITIES**

8 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

9 *Funds are hereby authorized to be appropriated for fis-*
 10 *cal year 1998 for the conduct of the intelligence and intel-*
 11 *ligence-related activities of the following elements of the*
 12 *United States Government:*

13 (1) *The Central Intelligence Agency.*

14 (2) *The Department of Defense.*

15 (3) *The Defense Intelligence Agency.*

16 (4) *The National Security Agency.*

17 (5) *The Department of the Army, the Depart-*
 18 *ment of the Navy, and the Department of the Air*
 19 *Force.*

20 (6) *The Department of State.*

21 (7) *The Department of the Treasury.*

22 (8) *The Department of Energy.*

23 (9) *The Federal Bureau of Investigation.*

24 (10) *The Drug Enforcement Administration.*

1 (11) *The National Reconnaissance Office.*

2 (12) *The National Imagery and Mapping Agen-*
3 *cy.*

4 **SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.**

5 (a) *SPECIFICATIONS OF AMOUNTS AND PERSONNEL*
6 *CEILINGS.*—*The amounts authorized to be appropriated*
7 *under section 101, and the authorized personnel ceilings as*
8 *of September 30, 1998, for the conduct of the intelligence*
9 *and intelligence-related activities of the elements listed in*
10 *such section, are those specified in the classified Schedule*
11 *of Authorizations prepared to accompany the bill*
12 *H.R. 1775 of the 105th Congress.*

13 (b) *AVAILABILITY OF CLASSIFIED SCHEDULE OF AU-*
14 *THORIZATIONS.*—*The Schedule of Authorizations shall be*
15 *made available to the Committees on Appropriations of the*
16 *Senate and House of Representatives and to the President.*
17 *The President shall provide for suitable distribution of the*
18 *Schedule, or of appropriate portions of the Schedule, within*
19 *the executive branch.*

20 **SEC. 103. PERSONNEL CEILING ADJUSTMENTS.**

21 (a) *AUTHORITY FOR ADJUSTMENTS.*—*With the ap-*
22 *proval of the Director of the Office of Management and*
23 *Budget, the Director of Central Intelligence may authorize*
24 *employment of civilian personnel in excess of the number*
25 *authorized for fiscal year 1998 under section 102 when the*

1 *Director of Central Intelligence determines that such action*
 2 *is necessary to the performance of important intelligence*
 3 *functions, except that the number of personnel employed in*
 4 *excess of the number authorized under such section may not,*
 5 *for any element of the intelligence community, exceed two*
 6 *percent of the number of civilian personnel authorized*
 7 *under such section for such element.*

8 (b) *NOTICE TO INTELLIGENCE COMMITTEES.*—*The Di-*
 9 *rector of Central Intelligence shall promptly notify the Per-*
 10 *manent Select Committee on Intelligence of the House of*
 11 *Representatives and the Select Committee on Intelligence of*
 12 *the Senate whenever he exercises the authority granted by*
 13 *this section.*

14 **SEC. 104. COMMUNITY MANAGEMENT ACCOUNT.**

15 (a) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
 16 *authorized to be appropriated for the Community Manage-*
 17 *ment Account of the Director of Central Intelligence for fis-*
 18 *cal year 1998 the sum of \$147,588,000. Within such*
 19 *amount, funds identified in the classified Schedule of Au-*
 20 *thorizations referred to in section 102(a) for the Advanced*
 21 *Research and Development Committee and the Environ-*
 22 *mental Intelligence and Applications Program shall remain*
 23 *available until September 30, 1999.*

24 (b) *AUTHORIZED PERSONNEL LEVELS.*—*The elements*
 25 *within the Community Management Account of the Direc-*

1 *tor of Central Intelligence are authorized a total of 313 full-*
2 *time personnel as of September 30, 1998. Such personnel*
3 *may be permanent employees of the Community Manage-*
4 *ment Account elements or personnel detailed from other ele-*
5 *ments of the United States Government.*

6 (c) *CLASSIFIED AUTHORIZATIONS.—In addition to*
7 *amounts authorized to be appropriated by subsection (a)*
8 *and the personnel authorized by subsection (b)—*

9 (1) *there is authorized to be appropriated for fis-*
10 *cal year 1998 such amounts, and*

11 (2) *there is authorized such personnel as of Sep-*
12 *tember 30, 1998,*

13 *for the Community Management Account, as are specified*
14 *in the classified Schedule of Authorizations referred to in*
15 *section 102(a).*

16 (d) *REIMBURSEMENT.—Except as provided in section*
17 *113 of the National Security Act of 1947 (as added by sec-*
18 *tion 304 of this Act), during fiscal year 1998 any officer*
19 *or employee of the United States or member of the Armed*
20 *Forces who is detailed to an element of the Community*
21 *Management Account from another element of the United*
22 *States Government shall be detailed on a reimbursable*
23 *basis; except that any such officer, employee, or member*
24 *may be detailed on a nonreimbursable basis for a period*

1 *of less than one year for the performance of temporary func-*
2 *tions as required by the Director of Central Intelligence.*

3 *(e) NATIONAL DRUG INTELLIGENCE CENTER.—*

4 *(1) IN GENERAL.—Of the amount authorized to*
5 *be appropriated in subsection (a), the amount of*
6 *\$27,000,000 shall be available for the National Drug*
7 *Intelligence Center. Within such amount, funds pro-*
8 *vided for research, development, test, and engineering*
9 *purposes shall remain available until September 30,*
10 *1999, and funds provided for procurement purposes*
11 *shall remain available until September 30, 2000.*

12 *(2) TRANSFER OF FUNDS.—The Director of*
13 *Central Intelligence shall transfer to the Attorney*
14 *General of the United States funds available for the*
15 *National Drug Intelligence Center under paragraph*
16 *(1). The Attorney General shall utilize funds so trans-*
17 *ferred for the activities of the Center.*

18 *(3) LIMITATION.—Amounts available for the*
19 *Center may not be used in contravention of the provi-*
20 *sions of section 103(d)(1) of the National Security Act*
21 *of 1947 (50 U.S.C. 403–3(d)(1)).*

22 *(4) AUTHORITY.—Notwithstanding any other*
23 *provision of law, the Attorney General shall retain*
24 *full authority over the operations of the Center.*

1 **TITLE II—CENTRAL INTEL-**
2 **LIGENCE AGENCY RETIRE-**
3 **MENT AND DISABILITY SYS-**
4 **TEM**

5 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

6 *There is authorized to be appropriated for the Central*
7 *Intelligence Agency Retirement and Disability Fund for fis-*
8 *cal year 1998 the sum of \$196,900,000.*

9 **TITLE III—GENERAL**
10 **PROVISIONS**

11 **SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND**
12 **BENEFITS AUTHORIZED BY LAW.**

13 *Appropriations authorized by this Act for salary, pay,*
14 *retirement, and other benefits for Federal employees may*
15 *be increased by such additional or supplemental amounts*
16 *as may be necessary for increases in such compensation or*
17 *benefits authorized by law.*

18 **SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE**
19 **ACTIVITIES.**

20 *The authorization of appropriations by this Act shall*
21 *not be deemed to constitute authority for the conduct of any*
22 *intelligence activity which is not otherwise authorized by*
23 *the Constitution or the laws of the United States.*

1 **SEC. 303. ADMINISTRATION OF THE OFFICE OF THE DIREC-**
 2 **TOR OF CENTRAL INTELLIGENCE.**

3 *Subsection (e) of section 102 of the National Security*
 4 *Act of 1947 (50 U.S.C. 403) is amended by adding at the*
 5 *end the following new paragraph:*

6 *“(4) The Office of the Director of Central Intelligence*
 7 *shall, for administrative purposes, be within the Central In-*
 8 *telligence Agency.”.*

9 **SEC. 304. DETAIL OF INTELLIGENCE COMMUNITY PERSON-**
 10 **NEL—INTELLIGENCE COMMUNITY ASSIGN-**
 11 **MENT PROGRAM.**

12 *(a) IN GENERAL.—Title I of the National Security Act*
 13 *of 1947 (50 U.S.C. 401 et seq.) is amended by adding at*
 14 *the end the following new section:*

15 *“DETAIL OF INTELLIGENCE COMMUNITY PERSONNEL—*
 16 *INTELLIGENCE COMMUNITY ASSIGNMENT PROGRAM*

17 *“SEC. 113. (a) DETAIL.—(1) Notwithstanding any*
 18 *other provision of law, the head of a department with an*
 19 *element in the intelligence community or the head of an*
 20 *intelligence community agency or element may detail any*
 21 *employee within that department, agency, or element to*
 22 *serve in any position in the Intelligence Community As-*
 23 *signment Program on a reimbursable or a nonreimbursable*
 24 *basis.*

25 *“(2) Nonreimbursable details may be for such periods*
 26 *as are agreed to between the heads of the parent and host*

1 agencies, up to a maximum of three years, except that such
2 details may be extended for a period not to exceed 1 year
3 when the heads of the parent and host agencies determine
4 that such extension is in the public interest.

5 “(b) BENEFITS, ALLOWANCES, TRAVEL, INCEN-
6 TIVES.—An employee detailed under subsection (a) may be
7 authorized any benefit, allowance, travel, or incentive other-
8 wise provided to enhance staffing by the organization from
9 which they are being detailed.

10 “(c) ANNUAL REPORT.—(1) Not later than March 1
11 of each year, the Director of the Central Intelligence Agency
12 shall submit to the Permanent Select Committee on Intel-
13 ligence of the House of Representatives and the Select Com-
14 mittee on Intelligence of the Senate a report describing the
15 detail of intelligence community personnel pursuant to sub-
16 section (a) for the previous 12-month period, including the
17 number of employees detailed, the identity of parent and
18 host agencies or elements, and an analysis of the benefits
19 of the program.

20 “(2) The Director shall submit the first of such reports
21 not later than March 1, 1999.

22 “(d) TERMINATION.—The authority to make details
23 under this section terminates on September 30, 2002.”.

1 (b) *TECHNICAL AMENDMENT.*—Sections 120, 121, and
 2 110 of the National Security Act of 1947 are hereby redesign-
 3 nated as sections 110, 111, and 112, respectively.

4 (c) *CLERICAL AMENDMENT.*—The table of contents
 5 contained in the first section of such Act is amended by
 6 striking the items relating to sections 120, 121, and 110
 7 and inserting the following:

“Sec. 110. National mission of National Imagery and Mapping Agency.

“Sec. 111. Collection tasking authority.

“Sec. 112. Restrictions on intelligence sharing with the United Nations.

“Sec. 113. Detail of intelligence community personnel—intelligence community
 assignment program.”.

8 (d) *EFFECTIVE DATE.*—The amendment made by sub-
 9 section (a) of this section shall apply to an employee on
 10 detail on or after January 1, 1997.

11 **SEC. 305. APPLICATION OF SANCTIONS LAWS TO INTEL-**
 12 **LIGENCE ACTIVITIES.**

13 Section 905 of the National Security Act of 1947 (50
 14 U.S.C. 441d) is amended by striking “1998” and inserting
 15 “1999”.

16 **TITLE IV—CENTRAL**
 17 **INTELLIGENCE AGENCY**

18 **SEC. 401. MULTIYEAR LEASING AUTHORITY.**

19 (a) *IN GENERAL.*—Section 5 of the Central Intelligence
 20 Agency Act of 1949 is amended—

21 (1) by redesignating paragraphs (a) through (f)
 22 as paragraphs (1) through (6), respectively;

23 (2) by inserting “(a)” after “SEC. 5.”;

1 (3) by striking “and” at the end of paragraph
2 (5), as so redesignated;

3 (4) by striking the period at the end of para-
4 graph (6), as so redesignated, and inserting “; and”;

5 (5) by inserting after paragraph (6) the follow-
6 ing new paragraph:

7 “(7) Notwithstanding section 1341(a)(1) of title 31,
8 United States Code, enter into multiyear leases for up to
9 15 years that are not otherwise authorized pursuant to sec-
10 tion 8 of this Act.”; and

11 (6) by inserting at the end the following new
12 subsection:

13 “(b)(1) The authority to enter into a multiyear lease
14 under subsection (a)(7) shall be subject to appropriations
15 provided in advance for (A) the entire lease, or (B) the first
16 12 months of the lease and the Government’s estimated ter-
17 mination liability.

18 “(2) In the case of any such lease entered into under
19 clause (B) of paragraph (1)—

20 “(A) such lease shall include a clause that pro-
21 vides that the contract shall be terminated if budget
22 authority (as defined by section 3(2) of the Congres-
23 sional Budget and Impoundment Control Act of 1974
24 (2 U.S.C. 622(2))) is not provided specifically for

1 that project in an appropriations Act in advance of
2 an obligation of funds in respect thereto;

3 “(B) notwithstanding section 1552 of title 31,
4 United States Code, amounts obligated for paying ter-
5 mination costs in respect of such lease shall remain
6 available until the costs associated with termination
7 of such lease are paid;

8 “(C) funds available for termination liability
9 shall remain available to satisfy rental obligations in
10 respect of such lease in subsequent fiscal years in the
11 event such lease is not terminated early, but only to
12 the extent those funds are in excess of the amount of
13 termination liability in that subsequent year; and

14 “(D) annual funds made available in any fiscal
15 year may be used to make payments on such lease for
16 a maximum of 12 months beginning any time during
17 the fiscal year.”.

18 (b) *EFFECTIVE DATE.*—The amendment made by sub-
19 section (a) applies with respect to multiyear leases entered
20 into pursuant to section 5 of the Central Intelligence Agency
21 Act of 1949, as amended by subsection (a), on or after Octo-
22 ber 1, 1997.

1 **SEC. 402. CIA CENTRAL SERVICES PROGRAM.**

2 *The Central Intelligence Agency Act of 1949 (50 U.S.C.*
 3 *403a et seq.) is amended by adding at the end the following*
 4 *new section:*

5 “CENTRAL SERVICES PROGRAM

6 “SEC. 21. (a) *ESTABLISHMENT.*—*The Director may—*

7 “(1) *establish a program to provide the central*
 8 *services described in subsection (b)(2); and*

9 “(2) *make transfers to and expenditures from the*
 10 *working capital fund established under subsection*
 11 *(b)(1).*

12 “(b) *ESTABLISHMENT AND PURPOSES OF CENTRAL*
 13 *SERVICES WORKING CAPITAL FUND.*—(1) *There is estab-*
 14 *lished a central services working capital fund. The Fund*
 15 *shall be available until expended for the purposes described*
 16 *in paragraph (2), subject to subsection (j).*

17 “(2) *The purposes of the Fund are to pay for equip-*
 18 *ment, salaries, maintenance, operation and other expenses*
 19 *for such services as the Director, subject to paragraph (3),*
 20 *determines to be central services that are appropriate and*
 21 *advantageous to provide to the Agency or to other Federal*
 22 *agencies on a reimbursable basis.*

23 “(3) *The determination and provision of central serv-*
 24 *ices by the Director of Central Intelligence under paragraph*
 25 *(2) shall be subject to the prior approval of the Director*
 26 *of the Office of Management and Budget.*

1 “(c) *ASSETS IN FUND.*—*The Fund shall consist of*
2 *money and assets, as follows:*

3 “(1) *Amounts appropriated to the Fund for its*
4 *initial monetary capitalization.*

5 “(2) *Appropriations available to the Agency*
6 *under law for the purpose of supplementing the Fund.*

7 “(3) *Such inventories, equipment, and other as-*
8 *sets, including inventories and equipment on order,*
9 *pertaining to the services to be carried on by the*
10 *central services program.*

11 “(4) *Such other funds as the Director is author-*
12 *ized to transfer to the Fund.*

13 “(d) *LIMITATIONS.*—(1) *The total value of orders for*
14 *services described in subsection (b)(2) from the central serv-*
15 *ices program at any time shall not exceed an annual*
16 *amount approved in advance by the Director of the Office*
17 *of Management and Budget.*

18 “(2) *No goods or services may be provided to any non-*
19 *Federal entity by the central services program.*

20 “(e) *REIMBURSEMENTS TO FUND.*—*Notwithstanding*
21 *any other provision of law, the Fund shall be—*

22 “(1) *reimbursed, or credited with advance pay-*
23 *ments, from applicable appropriations and funds of*
24 *the Agency, other Intelligence Community agencies, or*
25 *other Federal agencies, for the central services per-*

1 *formed by the central services program, at rates that*
2 *will recover the full cost of operations paid for from*
3 *the Fund, including accrual of annual leave, workers'*
4 *compensation, depreciation of capitalized plant and*
5 *equipment, and amortization of automated data proc-*
6 *essing software; and*

7 *“(2) if applicable credited with the receipts from*
8 *sale or exchange of property, including any real prop-*
9 *erty, or in payment for loss or damage to property,*
10 *held by the central services program as assets of the*
11 *Fund.*

12 *“(f) RETENTION OF PORTION OF FUND INCOME.—(1)*
13 *The Director may impose a fee for central services provided*
14 *from the Fund. The fee for any item or service provided*
15 *under the central services program may not exceed four per-*
16 *cent of the cost of such item or service.*

17 *“(2) As needed for the continued self-sustaining oper-*
18 *ation of the Fund, an amount not to exceed four percent*
19 *of the net receipts of the Fund in fiscal year 1998 and each*
20 *fiscal year thereafter may be retained, subject to subsection*
21 *(j), for the acquisition of capital equipment and for the im-*
22 *provement and implementation of the Agency's information*
23 *management systems (including financial management,*
24 *payroll, and personnel information systems). Any proposed*
25 *use of the retained income in fiscal years 1998, 1999, and*

1 2000, shall only be made with the approval of the Director
2 of the Office of Management and Budget and after notifica-
3 tion to the Permanent Select Committee on Intelligence of
4 the House of Representatives and the Select Committee on
5 Intelligence of the Senate.

6 “(3) Not later than 30 days after the close of each fiscal
7 year, amounts in excess of the amount retained under para-
8 graph (2) shall be transferred to the United States Treas-
9 ury.

10 “(g) *AUDIT.*—(1) The Inspector General of the Central
11 Intelligence Agency shall conduct and complete an audit of
12 the Fund within three months after the close of each fiscal
13 year. The Director of the Office of Management and Budget
14 shall determine the form and content of the audit, which
15 shall include at least an itemized accounting of the central
16 services provided, the cost of each service, the total receipts
17 received, the agencies or departments serviced, and the
18 amount returned to the United States Treasury.

19 “(2) Not later than 30 days after the completion of
20 the audit, the Inspector General shall submit a copy of the
21 audit to the Director of the Office of Management and
22 Budget, the Director of Central Intelligence, the Permanent
23 Select Committee on Intelligence of the House of Represent-
24 atives and the Select Committee on Intelligence of the Sen-
25 ate.

1 “(h) *DEFINITIONS.—For purposes of this section—*

2 *“(1) the term ‘central services program’ means*
 3 *the program established under subsection (a); and*

4 *“(2) the term ‘Fund’ means the central services*
 5 *working capital fund established under subsection*
 6 *(b)(1).*

7 “(i) *AUTHORIZATION OF APPROPRIATIONS.—There is*
 8 *authorized to be appropriated to the Fund \$5,000,000 for*
 9 *the purposes specified in subsection (b)(2).*

10 “(j) *TERMINATION.—(1) The Fund shall terminate on*
 11 *March 31, 2000, unless otherwise reauthorized by an Act*
 12 *of Congress prior to that date.*

13 “(2) *Subject to paragraph (1) and after providing no-*
 14 *tice to the Permanent Select Committee on Intelligence of*
 15 *the House of Representatives and the Select Committee on*
 16 *Intelligence of the Senate, the Director of Central Intel-*
 17 *ligence and the Director of the Office of Management and*
 18 *Budget—*

19 *“(A) may terminate the central services program*
 20 *and the Fund at any time; and*

21 *“(B) upon any such termination, shall provide*
 22 *for dispositions of personnel, assets, liabilities, grants,*
 23 *contracts, property, records, and unexpended balances*
 24 *of appropriations, authorizations, allocations, and*
 25 *other funds held, used, arising from, available to, or*

1 *to be made available in connection with such Fund,*
 2 *as may be necessary.”.*

3 **SEC. 403. PROTECTION OF CIA FACILITIES.**

4 *Subsection (a) of section 15 of the Central Intelligence*
 5 *Agency Act of 1949 (50 U.S.C. 403o(a)) is amended—*

6 *(1) by inserting “(1)” after “(a)”;*

7 *(2) by striking “powers only within Agency in-*
 8 *stallations,” and all that follows through the end, and*
 9 *inserting the following: “powers—*

10 *“(A) within the Agency Headquarters Compound*
 11 *and the property controlled and occupied by the Fed-*
 12 *eral Highway Administration located immediately*
 13 *adjacent to such Compound and in the streets, side-*
 14 *walks, and the open areas within the zone beginning*
 15 *at the outside boundary of such Compound and prop-*
 16 *erty and extending outward 500 feet; and*

17 *“(B) within any other Agency installation and*
 18 *in the streets, sidewalks, and open areas within the*
 19 *zone beginning at the outside boundary of any such*
 20 *installation and extending outward 500 feet.”; and*

21 *(3) by adding at the end the following new para-*
 22 *graphs:*

23 *“(2) The performance of functions and exercise of pow-*
 24 *ers under paragraph (1) shall be limited to those cir-*
 25 *cumstances where such personnel can identify specific and*

1 *articulable facts giving such personnel reason to believe that*
2 *their performance of such functions and exercise of such*
3 *powers is reasonable to protect against physical attack or*
4 *threats of attack upon the Agency installations, property,*
5 *or employees.*

6 “(3) *Nothing in this subsection shall be construed to*
7 *preclude, or limit in any way, the authority of any Federal,*
8 *State, or local law enforcement agency or of any other Fed-*
9 *eral police or Federal protective service.*

10 “(4) *The rules and regulations enforced by such per-*
11 *sonnel shall be the rules and regulations promulgated by*
12 *the Director and shall only be applicable to the areas re-*
13 *ferred to in paragraph (1).*

14 “(5) *On December 1, 1998, and annually thereafter,*
15 *the Director shall submit a report to the Permanent Select*
16 *Committee on Intelligence of the House of Representatives*
17 *and the Select Committee on Intelligence of the Senate that*
18 *describes in detail the exercise of the authority granted by*
19 *this subsection, and the underlying facts supporting the ex-*
20 *ercise of such authority, during the preceding fiscal year.*
21 *The Director shall make such report available to the Inspec-*
22 *tor General of the Agency.”.*

1 **TITLE V—DEPARTMENT OF DE-**
 2 **FENSE INTELLIGENCE ACTIVI-**
 3 **TIES**

4 **SEC. 501. AUTHORITY TO AWARD ACADEMIC DEGREE OF**
 5 **BACHELOR OF SCIENCE IN INTELLIGENCE.**

6 (a) *AUTHORITY FOR NEW BACHELOR’S DEGREE.—*
 7 *Section 2161 of title 10, United States Code, is amended*
 8 *to read as follows:*

9 **“§2161. Joint Military Intelligence College: academic**
 10 **degrees**

11 *“Under regulations prescribed by the Secretary of De-*
 12 *fense, the president of the Joint Military Intelligence College*
 13 *may, upon recommendation by the faculty of the college,*
 14 *confer upon a graduate of the college who has fulfilled the*
 15 *requirements for the degree the following:*

16 *“(1) The degree of Master of Science of Strategic*
 17 *Intelligence (MSSI).*

18 *“(2) The degree of Bachelor of Science in Intel-*
 19 *ligence (BSI).”.*

20 (b) *CLERICAL AMENDMENT.—The item relating to that*
 21 *section in the table of sections at the beginning of chapter*
 22 *108 of such title is amended to read as follows:*

“2161. Joint Military Intelligence College: academic degrees.”.

1 **SEC. 502. UNAUTHORIZED USE OF NAME, INITIALS, OR SEAL**
 2 **OF NATIONAL RECONNAISSANCE OFFICE.**

3 (a) *EXTENSION, REORGANIZATION, AND CONSOLIDA-*
 4 *TION OF AUTHORITIES.*—Subchapter I of chapter 21 of title
 5 10, United States Code, is amended by adding at the end
 6 the following new section:

7 **“§ 425. Prohibition of unauthorized use of name, ini-**
 8 **tials, or seal: specified intelligence agen-**
 9 **cies**

10 “(a) *PROHIBITION.*—Except with the written permis-
 11 sion of the Secretary of Defense, no person may knowingly
 12 use, in connection with any merchandise, retail product,
 13 impersonation, solicitation, or commercial activity in a
 14 manner reasonably calculated to convey the impression that
 15 such use is approved, endorsed, or authorized by the Sec-
 16 retary of Defense, any of the following (or any colorable
 17 imitation thereof):

18 “(1) The words ‘Defense Intelligence Agency’, the
 19 initials ‘DIA’, or the seal of the Defense Intelligence
 20 Agency.

21 “(2) The words ‘National Reconnaissance Office’,
 22 the initials ‘NRO’, or the seal of the National Recon-
 23 naissance Office.

24 “(3) The words ‘National Imagery and Mapping
 25 Agency’, the initials ‘NIMA’, or the seal of the Na-
 26 tional Imagery and Mapping Agency.

1 “(4) *The words ‘Defense Mapping Agency’, the*
 2 *initials ‘DMA’, or the seal of the Defense Mapping*
 3 *Agency.’.*”

4 **(b) TRANSFER OF ENFORCEMENT AUTHORITY.**—Sub-
 5 *section (b) of section 202 of title 10, United States Code,*
 6 *is transferred to the end of section 425 of such title, as added*
 7 *by subsection (a), and is amended by inserting “AUTHOR-*
 8 *ITY TO ENJOIN VIOLATIONS.—” after “(b)”.*

9 **(c) REPEAL OF REORGANIZED PROVISIONS.**—Sections
 10 *202 and 445 of title 10, United States Code, are repealed.*

11 **(d) CLERICAL AMENDMENTS.**—

12 (1) *The table of sections at the beginning of sub-*
 13 *chapter II of chapter 8 of title 10, United States*
 14 *Code, is amended by striking out the item relating to*
 15 *section 202.*

16 (2) *The table of sections at the beginning of sub-*
 17 *chapter I of chapter 21 of title 10, United States*
 18 *Code, is amended by striking out the items relating*
 19 *to sections 424 and 425 and inserting in lieu thereof*
 20 *the following:*

 “424. *Disclosure of organizational and personnel information: exemption for De-*
 fense Intelligence Agency, National Reconnaissance Office, and
 National Imagery and Mapping Agency.

 “425. *Prohibition of unauthorized use of name, initials, or seal: specified intel-*
 ligence agencies.’.”

21 (3) *The table of sections at the beginning of sub-*
 22 *chapter I of chapter 22 of title 10, United States*

1 *Code, is amended by striking out the item relating to*
 2 *section 445.*

3 **SEC. 503. EXTENSION OF AUTHORITY FOR ENHANCEMENT**
 4 **OF CAPABILITIES OF CERTAIN ARMY FACILI-**
 5 **TIES.**

6 *Effective October 1, 1997, section 506(b) of the Intel-*
 7 *ligence Authorization Act for Fiscal Year 1996 (Public Law*
 8 *104–93; 109 Stat. 974) is amended by striking out “fiscal*
 9 *years 1996 and 1997” and inserting in lieu thereof “fiscal*
 10 *years 1998 and 1999”.*

11 **TITLE VI—MISCELLANEOUS**
 12 **COMMUNITY PROGRAM AD-**
 13 **JUSTMENTS**

14 **SEC. 601. COORDINATION OF ARMED FORCES INFORMA-**
 15 **TION SECURITY PROGRAMS.**

16 *(a) PROGRAM EXECUTION COORDINATION.—The Sec-*
 17 *retary of a military department or the head of a defense*
 18 *agency may not obligate or expend funds for any informa-*
 19 *tion security program of that military department without*
 20 *the concurrence of the Director of the National Security*
 21 *Agency.*

22 *(b) EFFECTIVE DATE.—This section takes effect on Oc-*
 23 *tober 1, 1997.*

1 **SEC. 602. AUTHORITY OF EXECUTIVE AGENT OF INTE-**
 2 **GRATED BROADCAST SERVICE.**

3 *All amounts appropriated for any fiscal year for intel-*
 4 *ligence information data broadcast systems may be obli-*
 5 *gated or expended by an intelligence element of the Depart-*
 6 *ment of Defense only with the concurrence of the official*
 7 *in the Department of Defense designated as the executive*
 8 *agent of the Integrated Broadcast Service.*

9 **SEC. 603. PREDATOR UNMANNED AERIAL VEHICLE.**

10 (a) *TRANSFER OF FUNCTIONS.*—Effective October 1,
 11 1997, the functions described in subsection (b) with respect
 12 to the Predator Unmanned Aerial Vehicle are transferred
 13 to the Secretary of the Air Force.

14 (b) *FUNCTIONS TO BE TRANSFERRED.*—Subsection
 15 (a) applies to those functions performed as of June 1, 1997,
 16 by the organization within the Department of Defense
 17 known as the Unmanned Aerial Joint Program Office with
 18 respect to the Predator Unmanned Aerial Vehicle.

19 (c) *TRANSFER OF FUNDS.*—Effective October 1, 1997,
 20 all unexpended funds appropriated for the Predator Un-
 21 manned Aerial Vehicle that are within the Defense-Wide
 22 Program Element number 0305205D are transferred to Air
 23 Force Program Element number 0305154F.

24 **SEC. 604. U-2 SENSOR PROGRAM.**

25 (a) *REQUIREMENT FOR MINIMUM NUMBER OF AIR-*
 26 *CRAFT.*—The Secretary of Defense shall ensure—

1 (1) *that not less than 11 U-2 reconnaissance*
 2 *aircraft are equipped with RAS-1 sensor suites; and*

3 (2) *that each such aircraft that is so equipped is*
 4 *maintained in a manner necessary to counter avail-*
 5 *able threat technologies until the aircraft is retired or*
 6 *until a successor sensor suite is developed and fielded.*

7 (b) *EFFECTIVE DATE.*—*Subsection (a) takes effect on*
 8 *October 1, 1997.*

9 **SEC. 605. REQUIREMENTS RELATING TO CONGRESSIONAL**
 10 **BUDGET JUSTIFICATION BOOKS.**

11 (a) *IN GENERAL.*—*The congressional budget justifica-*
 12 *tion books for any element of the intelligence community*
 13 *submitted to Congress in support of the budget of the Presi-*
 14 *dent for any fiscal year shall include, at a minimum, the*
 15 *following:*

16 (1) *For each program for which appropriations*
 17 *are requested for that element of the intelligence com-*
 18 *munity in that budget—*

19 (A) *specification of the program, including*
 20 *the program element number for the program;*

21 (B) *the specific dollar amount requested for*
 22 *the program;*

23 (C) *the appropriation account within which*
 24 *funding for the program is placed;*

1 (D) the budget line item that applies to the
2 program;

3 (E) specification of whether the program is
4 a research and development program or other-
5 wise involves research and development;

6 (F) identification of the total cost for the
7 program; and

8 (G) information relating to all direct and
9 associated costs in each appropriations account
10 for the program.

11 (2) A detailed accounting of all reprogramming
12 or reallocation actions and the status of those actions
13 at the time of submission of those materials.

14 (3) Information relating to any unallocated cuts
15 or taxes.

16 (b) *DEFINITIONS.*—For purposes of this section:

17 (1) The term “intelligence community” has the
18 meaning given that term in section 3 of the National
19 Security Act of 1947 (50 U.S.C. 401a).

20 (2) The term “congressional budget justification
21 books” means the budget justification materials sub-
22 mitted to Congress for any fiscal year in support of
23 the budget for that fiscal year for any element of the
24 intelligence community (as contained in the budget of
25 the President submitted to Congress for that fiscal

1 year pursuant to section 1105 of title 31, United
2 States Code).

3 (c) *EFFECTIVE DATE*.—Subsection (a) shall take effect
4 with respect to fiscal year 1999.

5 **SEC. 606. COORDINATION OF AIR FORCE JOINT SIGINT PRO-**
6 **GRAM OFFICE ACTIVITIES WITH OTHER MILI-**
7 **TARY DEPARTMENTS.**

8 (a) *CONTRACTS*.—The Secretary of the Air Force, act-
9 ing through the Air Force Joint Airborne Signals Intel-
10 ligence Program Office, may not modify, amend, or alter
11 a JSAF program contract without coordinating with the
12 Secretary of any other military department that would be
13 affected by the modification, amendment, alteration.

14 (b) *NEW DEVELOPMENTS AFFECTING OPERATIONAL*
15 *MILITARY REQUIREMENTS*.—(1) The Secretary of the Air
16 Force, acting through the Air Force Joint Airborne Signals
17 Intelligence Program Office, may not enter into a contract
18 described in paragraph (2) without coordinating with the
19 Secretary of the military department concerned.

20 (2) Paragraph (1) applies to a contract for develop-
21 ment relating to a JSAF program that may directly affect
22 the operational requirements of one of the Armed Forces
23 (other than the Air Force) for the satisfaction of intelligence
24 requirements.

1 (c) *JSAF PROGRAM DEFINED.*—For purposes of this
 2 section, the term “JSAF program” means a program with-
 3 in the Joint Signals Intelligence Avionics Family of pro-
 4 grams administered by the Air Force Joint Airborne Sig-
 5 nals Intelligence Program Office.

6 (d) *EFFECTIVE DATE.*—This section takes effect on Oc-
 7 tober 1, 1997.

8 **SEC. 607. DISCONTINUATION OF THE DEFENSE SPACE RE-**
 9 **CONNAISSANCE PROGRAM.**

10 Not later than October 1, 1999, the Secretary of De-
 11 fense shall—

12 (1) *discontinue the Defense Space Reconnaiss-*
 13 *sance Program (a program within the Joint Military*
 14 *Intelligence Program); and*

15 (2) *close the organization within the Department*
 16 *of Defense known as the Defense Space Program Of-*
 17 *fice (the management office for that program).*

18 **SEC. 608. TERMINATION OF DEFENSE AIRBORNE RECON-**
 19 **NAISSANCE OFFICE.**

20 (a) *TERMINATION OF OFFICE.*—The organization
 21 within the Department of Defense known as the Defense
 22 Airborne Reconnaissance Office is terminated. No funds
 23 available for the Department of Defense may be used for
 24 the operation of that Office after the date specified in sub-
 25 section (d).

1 (b) *TRANSFER OF FUNCTIONS.*—(1) *Subject to para-*
2 *graphs (3) and (4), the Secretary of Defense shall transfer*
3 *to the Defense Intelligence Agency those functions performed*
4 *on the day before the date of the enactment this Act by the*
5 *Defense Airborne Reconnaissance Office that are specified*
6 *in paragraph (2).*

7 (2) *The functions transferred by the Secretary to the*
8 *Defense Intelligence Agency under paragraph (1) shall in-*
9 *clude functions of the Defense Airborne Reconnaissance Of-*
10 *fice relating to its responsibilities for management oversight*
11 *and coordination of defense airborne reconnaissance capa-*
12 *bilities (other than any responsibilities for acquisition of*
13 *systems).*

14 (3) *The Secretary shall determine which specific func-*
15 *tions are appropriate for transfer under paragraph (1). In*
16 *making that determination, the Secretary shall ensure that*
17 *responsibility for individual airborne reconnaissance pro-*
18 *grams with respect to program management, for research,*
19 *development, test, and evaluation, for acquisition, and for*
20 *operations and related line management remain with the*
21 *respective Secretaries of the military departments.*

22 (4) *Any function transferred to the Defense Intelligence*
23 *Agency under this subsection is subject to the authority, di-*
24 *rection, and control of the Secretary of Defense.*

1 (c) *REPORT.*—(1) *Not later than 90 days after the date*
2 *of the enactment of this Act, the Secretary of Defense shall*
3 *submit to the committees named in paragraph (2) a report*
4 *containing the Secretary’s plan for terminating the Defense*
5 *Airborne Reconnaissance Office and transferring the func-*
6 *tions of that office.*

7 (2) *The committees referred to in paragraph (1) are—*

8 (A) *the Committee on Armed Services and the*
9 *Select Committee on Intelligence of the Senate; and*

10 (B) *the Permanent Select Committee on Intel-*
11 *ligence and the Committee on National Security of*
12 *the House of Representatives.*

13 (d) *EFFECTIVE DATE.*—*Subsection (a) shall take effect*
14 *at the end of the 120-day period beginning on the date of*
15 *the enactment of this Act.*